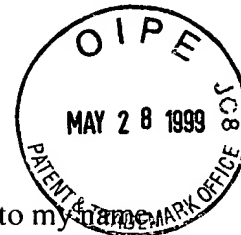


DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

HUMAN MONOCLONAL ANTIBODIES TO EPIDERMAL GROWTH FACTOR RECEPTOR

the specification of which:

☐ is attached hereto.

☐ was filed on _____, and identified as Attorney Docket No. _____.

☒ was filed on November 5, 1998, as Application Serial No. 09/187,693.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Sections 119 (a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Applications (s)

Priority Claimed

None
(Number) (Day/Month/Year Filed)

Yes ____ No ____ (Country)

I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below:

Provisional Application (s)

Priority Claimed

None
(Number) (Day/Month/Year Filed)

Yes ____ No ____ (Country)

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United

States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

| | | |
|--------------------------|---------------------------|---|
| <u>09/162,2802</u> | <u>September 28, 1998</u> | <u>pending</u> |
| (Application Serial No.) | (Filing Date) | (Status - patented, pending, abandoned) |
| <u>08/851,362</u> | <u>May 5, 1997</u> | <u>pending</u> |
| (Application Serial No.) | (Filing Date) | (Status - patented, pending, abandoned) |

I hereby appoint the following attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: Christopher A. Hare, Reg. No. 37,637.

Direct all telephone calls to Christopher A. Hare.

Address all correspondence to:

Christopher A. Hare
Patent Counsel
Abgenix, Inc.
7601 Dumbarton Circle
Fremont, CA 94555

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18, United States Code, §1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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Inventor's signature: *Aya Jakobovits*

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Xiao-Dong Yang

Inventor's signature:



Date:

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Residence:

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Citizenship:

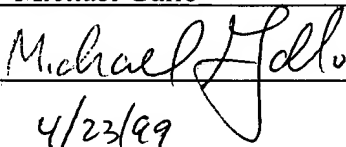
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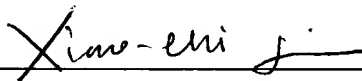
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Xiao-Chi Jia

Inventor's signature:



Date:

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